

David J. Bradley, Clerk

CIVIL ACTION NO. H-16-3242

On November 8, 2016, the court dismissed the habeas corpus petition filed by Jose Zamarripa Alvarado (A#090701641), also known as Jose Alvarado Zamarripa (TDCJ #1565198) ("Alvarado"), as barred by the prohibition on unauthorized successive writ applications. Alvarado has now filed a "Motion to Obtain Records Pursuant to a S 2241 Petition Submmitted [sic] for the U.S. Court for, and to Make Cross Reference, for the Above Styled and Numbered Cause at the Government's Expenche [sic] (Pursuant to C.J.A.)" (Docket Entry No. 13). Alvarado primarily requests a free copy of the records that he filed along with his petition. Alvarado also appears to request authorization to file a second or successive application for habeas corpus relief. Both requests will be denied for the reasons explained briefly below.


Court records reflect that Alvarado filed an original and one copy of his petition. The record confirms that the clerk's office recently returned to Alvarado his copy of the petition and the attached exhibits (Docket Entry No. 14). Therefore, Alvarado's request for free copies is denied as unnecessary.

To the extent that Alvarado asks this court to authorize a successive petition, that request must be denied for lack of jurisdiction. In that respect, only the Fifth Circuit can authorize a second or successive habeas application for habeas corpus review. See 28 U.S.C. § 2244(b)(3)(A) ("Before a second or successive application permitted by this section is filed in the district court the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.").

Accordingly, it is **ORDERED** that the "Motion to Obtain Records Pursuant to a § 2241 Petition Submmitted [sic] for the U.S. Court for, and to Make Cross Reference, for the Above Styled and Numbered Cause at the Government's Expence [sic] (Pursuant to C.J.A.)" (Docket Entry No. 13) is **DENIED**.

The Clerk shall provide a copy of this Order to the petitioner.

**SIGNED** at Houston, Texas, this 14th day of Dec., 2016.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE